

ALLEGED SHIPMENT: On or about April 24, 1953, by the Kentucky Popcorn Association, from New Haven, Ky.

PRODUCT: 16 cases, each containing 24 10-ounce cans, of unpopped popcorn at Lawrence, Mass.

LABEL, IN PART: (Can) "Delmonico Pop Yellow Hybrid Corn."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta and rodent-gnawed kernels; and, Section 402 (a) (4), it was prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: August 25, 1953. Default decree of condemnation and destruction.

20558. Adulteration of rice. U. S. v. 10 Bags * * *. (F. D. C. No. 35433. Sample No. 43425-L.)

LIBEL FILED: July 24, 1953, Northern District of California.

ALLEGED SHIPMENT: On or about September 3, 1952, from Lake Charles, La.

PRODUCT: 10 100-pound bags of rice at San Jose, Calif., in the possession of Morella Wholesale Grocer.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 10, 1953. Default decree of condemnation and destruction.

EGGS

20559. Adulteration of frozen eggs. U. S. v. 2 Cans * * *. (F. D. C. No. 35427. Sample No. 61398-L.)

LIBEL FILED: July 10, 1953, Southern District of Iowa.

ALLEGED SHIPMENT: On or about June 24, 1953, by Feaster Dairy Products, from Omaha, Nebr.

PRODUCT: 2 30-pound cans of frozen eggs at Clarinda, Iowa.

LABEL, IN PART: "Frozen Whites and Yolks Mixed Packed By Wayne Poultry & Egg Co., Wayne, Nebr."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: August 11, 1953. Default decree of condemnation and destruction.

20560. Adulteration of frozen egg whites. U. S. v. 1,000 Cans * * * (and 1 other seizure action). (F. D. C. Nos. 35437, 35439. Sample Nos. 65004-L, 65005-L.)

LIBELS FILED: July 22 and 24, 1953, Southern District of Iowa.

ALLEGED SHIPMENT: On or about June 2 and 3, 1953, by Miles Friedman, Inc., from Chicago, Ill.

PRODUCT: 2,000 30-pound cans of frozen egg whites at Des Moines, Iowa.

LABEL, IN PART: "Schneider Bros. Inc. Fancy Egg Whites * * * Chicago, Illinois."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: August 13, 1953. Schneider Bros., Inc., claimant, having consented to the entry of a decree and the libel proceedings having been consolidated, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion, under the supervision of the Department of Health, Education, and Welfare. 78 cans of the product were found unfit and were destroyed.

FISH AND SHELLFISH

20561. Adulteration and misbranding of canned mackerel. U. S. v. 19 Cases * * * (and 3 other seizure actions). (F. D. C. Nos. 35308 to 35311, incl. Sample Nos. 59743-L to 59746-L, incl.)

LIBELS FILED: June 11 and 12, 1953, Northern District of Georgia.

ALLEGED SHIPMENT: On or about November 24, 1952, by French Sardine Co., Inc., from Terminal Island, Calif.

PRODUCT: 155 cases, each containing 48 15-ounce cans, of mackerel at Tallapoosa and Griffin, Ga.

LABEL, IN PART: (Can) "Eatwell Brand California Mackerel."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), jack mackerel had been substituted in whole or in part for Pacific mackerel, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "Mackerel" and the vignette depicting Pacific mackerel were false and misleading as applied to the article, which was jack mackerel; and, Section 403 (i) (1), the label failed to bear the common or usual name of the article.

DISPOSITION: August 20, 1953. Star Kist Foods, Inc., Terminal Island, Calif., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the product be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

20562. Adulteration and misbranding of canned salmon. U. S. v. 26 Cases * * *. (F. D. C. No. 35430. Sample No. 59534-L.)

LIBEL FILED: July 15, 1953, Middle District of Georgia.

ALLEGED SHIPMENT: On or about March 13, 1953, by Hamlin-Halferty Seafoods, from Seattle, Wash.

PRODUCT: 26 cases, each containing 48 1-pound cans, of salmon at Quitman, Ga.

LABEL, IN PART: (Can) "Ocean Tang Brand Pink Salmon * * * Salt Added."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), chum salmon had been substituted in whole or in part for pink salmon, which the article was represented to be.

Misbranding, Section 403 (a), the label designation "Pink Salmon" was false and misleading as applied to chum salmon.